

Baker & Hostetler LLP

45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
David J. Sheehan
Email: dsheehan@bakerlaw.com
Nicholas J. Cremona
Email: ncremona@bakerlaw.com
Dean D. Hunt
Email: dhunt@bakerlaw.com

*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

JANIS BERMAN,

Defendant.

No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04549 (SMB)

STIPULATION AND ORDER

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and Defendant Janis Berman (the “Defendant”) represent as follows:

WHEREAS, on November 10, 2010, this Court entered the Order (1) Establishing Litigation Case Management Procedures for Avoidance Actions and (2) Amending the February 16, 2010 Protective Order (the “LPO”) [Adv. Pro. No. 08-01789 (SMB), Dkt. 3141];

WHEREAS, the Trustee commenced this action (the “Adversary Proceeding”) by filing a complaint (the “Complaint”) on December 1, 2010 [Dkt. 1];

WHEREAS, Defendant filed an answer to the Complaint on July 17, 2014 [Dkt. 27];

WHEREAS, pursuant to the Notice of Applicability filed by the Trustee in this Adversary Proceeding on December 2, 2010 [Dkt. 2], the LPO and the avoidance procedures contained therein (the “Avoidance Procedures”) are applicable to the instant matter;

WHEREAS, under the Avoidance Procedures, “the parties shall meet, either in person or by teleconference, and confer on a mediation, discovery and litigation plan (the ‘Initial Case Conference’)” within 30 days after the last defendant files an answer to the Complaint (the “Initial Case Conference Period”);

WHEREAS, the Trustee and Defendant have agreed to extend the Initial Case Conference Period in this Adversary Proceeding, which would otherwise have ended on August 18, 2014; and

NOW, THEREFORE, the Parties stipulate and agree to, and the Court **ORDERS**, that the Initial Case Conference Period is hereby extended to July 17, 2015.

Dated: January 16, 2015
New York, New York

BAKER & HOSTETLER LLP

By: /s/ Nicholas J. Cremona
45 Rockefeller Plaza
New York, New York 10111
Telephone: 212.589.4200
Facsimile: 212.589.4201
David J. Sheehan
Email: dsheehan@bakerlaw.com
Nicholas J. Cremona
Email: ncremona@bakerlaw.com
Dean D. Hunt
Email: dhunt@bakerlaw.com

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities
LLC and the Estate of Bernard L. Madoff*

HENSON & EFRON, P.A.

By: /s/ Alan C. Eidsness
Alan C. Eidsness
Henson & Efron, P.A.
220 South Sixth Street Suite 1800
Minneapolis, MN 55402
Telephone: 612.339.2500
Facsimile: 612.339.6364
Email: aeidsness@hensonefron.com

Attorneys for Defendant Janis Berman

SO ORDERED ON January 16th, 2015:

/s/ STUART M. BERNSTEIN
HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE